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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/819,188	03/28/2001	Thomas Michael Gooding	ROC920010087US1	2894

7590 09/26/2003
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Houston, TX 77056-6582

EXAMINER

NGUYEN, VAN H

ART UNIT	PAPER NUMBER
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2126

DATE MAILED: 09/26/2003

3

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/819,188

Applicant(s)

GOODING, THOMAS MICHAEL

Examiner

VAN H NGUYEN

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 March 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-34 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2. 6) ☐ Other:

DETAILED ACTION

1. This Office Action is in response to the application filed March 28, 2001. Claims 1-34 are presented for examination.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-10, 18-27, and 29-34 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

- In claim 1 (page 31), the limitations "*the function*," (line 2) "*the data type*," (line 4) and "*the deferred pointers*" (lines 7-8) lack antecedent basis.
- In claim 18 (page 33), the limitations "*the data type*," (line 4) and "*the deferred pointers*" (lines 7-8) and "*the remote node*" lack antecedent basis.
- In claim 28 (page 35), the limitation "*the second node*" (line 7) lacks antecedent basis.

Dependent claims 2-10, 19-27, and 29-34 are rejected for fully incorporating the deficiencies of their base claims.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-34 are rejected under 35 U.S.C. 102(b) as being anticipated by **Russell et al** (U.S. 5,617,570).

As to claim 1, Russell teaches (Abstract) a method for transmitting local node function parameters (*each operation call provided from a client ... containing parameters*) to a remote node for execution (*a server for executing operation calls by a client*) of the function on the remote node, comprising:

- associating a representation string with function parameters on a first stack, wherein each character in the representation string corresponds to the data type of an individual function parameter on the first stack (*a given Operation Call 42 is stored in a REQQ 80 in the form of a Stack 84...the Operation Call 42 and a set of Parameters 104 containing the essential perimeters of the Operation Call 42, including any data that is to be sent to the Server 18; col.12, lines 17-59 and figs. 3, 4C, 4D, and 4E*);.

dereferencing pointer parameters on the first stack (*each Stack 84...place pointers to messages resulting from the connection mechanism operations...a pointer to the results returned from the Operation Call 42*; col.12, lines 26-41);

generating a pure value buffer with the function parameters and the dereferenced pointers; transmitting the pure value buffer to the remote node (*Each Stack 84... a Buffer Pointer 'BUFPTR' 96 to a Buffer 98 containing the parameters of the Operation Call 42 corresponding to the Stack 84 and the execution of which will result in the Buffer 98 being sent to the server mechanisms*; col.12, lines 26-59).

As to claim 2, Russell teaches associating the representation string further comprises generating a DTSTRUCT string (*col.12, lines 17-59 and col.13, lines 34-60*).

As to claim 3, Russell teaches associating the representation string further comprises assigning a specific text string character to each function parameter data type on the first stack, wherein the assigning is conducted by at least one of a user input and a compiler generation operation (*col.12, lines 17-59 and col.15, lines 29-63*).

As to claim 4, Russell teaches dereferencing pointer parameters on the first stack further comprises retrieving data represented by the pointer parameters and placing the data represented by the pointer parameters on the pure value buffer (*col.12, lines 17-59 and col.14, lines 10-65*).

As to claim 5, Russell teaches optimizing the pure value buffer prior to transmitting to the remote node (*col.12, lines 17-59 and col.14, lines 10-65*).

As to claim 6, Russell teaches optimizing further comprises eliminating remote node write only-type data from the pure value buffer prior to transmitting the pure value buffer to the remote node (*col.12, lines 17-59 and col.14, lines 10-65*).

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As to claim 7, Russell teaches optimizing further comprises eliminating local node read only-type data from the pure value buffer prior to transmitting the pure value buffer to the remote node (*col.12, lines 17-59 and col.13, lines 34-60*).

As to claim 8, Russell teaches receiving the pure value buffer at the remote node; generating a second stack on the second node mirroring the first stack on the first node; executing a function using the second stack; creating a return pure value buffer; and transmitting the return pure value buffer to the first node (*col.12, lines 5-59*).

As to claim 9, Russell teaches generating the second stack further comprises using the representation string to recreate the second stack from the pure value buffer (*col.12, lines 5-59 and col.14, lines 7-66*).

As to claim 10, Russell teaches receiving return pure value buffer on the first node; regenerating the first stack on the first node; and replacing each pointer that was written back in an original memory location pointed to by the first stack (*col.12, lines 5-59 and col.14, lines 10-65*).

As to claim 11, the rejection of claim 1 above is incorporated herein in full. However, claim 11 recites “transmitting function related data from a first node to a second node.”

Russell teaches transmitting function related data from a first node to a second node (*the Operation Call 42 and a set of Parameters 104 containing the essential perimeters of the Operation Call 42, including any data that is to be sent to the Server 18; col.12, lines 17-59*).

As to claim 12, Russell teaches generating a stack having the function related data further comprises retrieving the function related data from various memory locations and storing

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the function related data in a contiguous stack location (*col.12, lines 17-59 and col.14, lines 10-65*).

As to claim 13, Russell teaches dereferencing pointer parameters further comprises retrieving pure value data represented by the pointer parameters and storing the pure value data on the stack (*col.12, lines 17-59 and col.14, lines 10-65*).

As to claim 14, Russell teaches generating a pure value buffer further comprises inserting pure value data into the stack in place of the pointer parameters and copying the stack contents to the pure value buffer (*col.12, lines 26-48*).

As to claim 15, Russell teaches optimizing the pure value buffer prior to transmitting to the second node (*col.12, lines 17-59 and col.14, lines 10-65*).

As to claim 16, Russell teaches optimizing further comprises eliminating second node write only-type data from the pure value buffer prior to transmitting the pure value buffer to the second node (*col.12, lines 17-59 and col.14, lines 10-65*).

As to claim 17, Russell teaches optimizing further comprises eliminating first node read only-type data from the pure value buffer prior to transmitting the pure value buffer to the second node (*col.12, lines 17-59 and col.13, lines 34-60*).

Claims 18-27 are directed to a computer readable medium for implementing the method of claims 1-10, and are similarly rejected under the same rationale.

Claims 28-34 are directed to a computer readable medium for implementing the method of claims 11-17, and are similarly rejected under the same rationale.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Radia	US 6418484	issued date: 07/2002
- Gochee	US 5953514	issued date: 09/1999
- Truong	US 5898835	issued date: 04/1999
- Suzuki et al.	US 5918015	issued date: 06/1999
- Watanabe et al.	US 5918011	issued date: 06/1999
- Hodgkinson et al.	US 4274139	issued date: 06/1981

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to VAN H NGUYEN whose telephone number is (703) 306-5971. The examiner can normally be reached on Monday-Thursday from 8:30AM - 6:00PM. The examiner can also be reached on alternative Friday.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-9000.

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Any response to this action should be mailed to:

Commissioner for Patents

PO Box 1450

Alexandria, VA 22313-1450

or fax to:

(703) 746-7239 (for formal communications intended for entry)

(703) 746-7238 (for After Final communications)

(703) 746-7240 (for informal or draft communications)

VHN

09/20/ 2003

A handwritten signature in black ink, appearing to be 'VHN', is located to the right of the typed name and date.